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February 14, 2014

VIA ECF AND EMAIL

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Eastman Chemical Co. v. Nestlé Waters Mgmt. & Tech., 11 CV 2589 (KPF) (HBP)

Dear Judge Failla:

On behalf of defendant Nestlé Waters Management & Technology ("Nestlé"), I write to request respectfully a slight modification to the briefing schedule set forth in Your Honor's December 18, 2013 Order as follows:

	<u>Current Schedule</u>	<u>Proposed New Schedule</u>
Opening Briefs	March 3, 2014	March 18, 2014
Opposition Briefs	April 7, 2014	April 25, 2014
Reply Briefs	April 28, 2014	May 9, 2014

No prior request for similar relief has been submitted, and plaintiff consents to the proposed new schedule. We respectfully request that Your Honor "so order" the proposed new schedule.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Harry H. Rimm".
Harry H. Rimm

cc: Marshall Beil, Esq. (Via Email)

Application GRANTED. Moving papers shall be due by March 18, 2014; opposition papers shall be due by April 25, 2014; and reply papers shall be due by May 9, 2014.

Dated: February 14, 2014
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE